

United States District Court

for the
Western District of New York



United States of America

v.

Case No. 19-MJ- 134

Mohammed Hashim RAMZAN, a/k/a
Mohammed Hashim Ramazan
Defendant

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief:

On or about July 19, 2019, in the Western District of New York, the defendant, Mohammed Hashim RAMZAN, a/k/a Mohammed Hashim Ramazan, an alien, attempted to enter the United States, after having been previously deported and removed therefrom on or about March 26, 1999, subsequent to a conviction of a crime designated as an aggravated felony while an order of deportation or removal was outstanding, without having obtained the express consent of the Attorney General of the United States or the Secretary of Homeland Security to reapply for admission to the United States.

All in violation of Title 8, United States Code, Section 1326(b)(2).

This Criminal Complaint is based on these facts:

☒ Continued on the attached sheet.

Complainant's signature

REBECCA MORMEL
ENFORCEMENT OFFICER
CUSTOMS AND BORDER PROTECTION

Printed name and title

Sworn to before me and signed in my presence.

Date: July 19, 2019

City and State: Buffalo, New York

Judge's signature

H. KENNETH SCHROEDER, JR.
UNITED STATES MAGISTRATE JUDGE

Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

STATE OF NEW YORK)
COUNTY OF ERIE) SS:
CITY OF BUFFALO)

Rebecca Mormel, being duly sworn, deposes and states:

1. I am an Enforcement Officer with United States Customs and Border Protection (“CBP”), within the Department of Homeland Security (“DHS”). In such capacity, my duties include investigating persons who have violated federal immigration laws and other related federal statutes.

2. I make this affidavit in support of the annexed criminal complaint charging Mohammed Hashim RAMZAN, a/k/a Mohammad Hashim Ramazan, (hereinafter referred to as the “defendant”), an alien, and citizen of the Netherlands, with attempting to enter the United States after having been previously removed subsequent to a conviction for commission of an aggravated felony, without first obtaining permission to re-enter the United States from the Attorney General, or his successor, the Secretary of the Department of Homeland Security, in violation of Title 8, United States Code 1326(b)(2).

3. The statements contained in this Affidavit are based upon my personal knowledge and upon information provided to me by other United States Customs and Border Protection officers who are known to me to be reliable. Because this Affidavit is being submitted for the limited purpose of securing a criminal complaint, I have not

included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that the defendant did knowingly violate Title 8, United States Code, Section 1326(b)(2).

4. The Department of Homeland Security is an agency within the executive branch of the government of the United States. This agency is responsible for making a determination as to the admissibility of an applicant seeking admission to the United States, and determining the immigration status of an alien found in the United States. Information concerning an individual's true identity, immigration status, criminal history, and prior immigration history, such as prior removals, visa refusals, and entries, are matters material to these determinations.

5. On July 19, 2019, at the Rainbow Bridge Port of Entry in Niagara Falls, New York, the defendant presented himself for entry to the United States at the primary inspection point. The defendant identified himself as Mohammed Hashim Ramazan and stated he wished to enter the United States.

6. The defendant was directed to a secondary inspection area. A query of the defendant's identity and check of his fingerprints revealed him to be a National Crime Information Center (NCIC) match to a previously deported alien who had been convicted of an aggravated felony. Specifically, it was determined that defendant had been convicted on April 23, 1996, in the State of California of the crime of Assault with Great Bodily Injury with a Deadly Weapon (Knife) and sentenced to three years in prison.

8. A review of defendant's Alien File # A27872XXX indicated that the defendant was placed into removal proceedings and subsequently ordered removed from the United States by an Immigration Judge on April 21, 1998, due to his criminal conviction. Additionally, a review of Form I-205 (Warrant of Removal/Deportation) confirmed the defendant was removed from the United States on March 26, 1999, from Detroit, Michigan subsequent to a conviction of a crime designated as an aggravated felony. A review of Form I-294 (Warning to Alien Ordered Removed) confirmed the defendant was prohibited from entering, attempting to enter, or being in the United States at any time due to his conviction of a crime designated as an aggravated felony. Finally, after reviewing the defendant's Alien file, I could find no record to indicate he ever applied for or received any permission to enter, attempt to enter, or be in the United States.

WHEREFORE, I respectfully submit the foregoing facts to establish probable cause to believe that on July 19, 2019, Mohammed Hashim RAMZAN, a/k/a Mohammad Hashim Ramazan, an alien, attempted to enter the United States after having been previously removed subsequent to a conviction for commission of an aggravated felony, without first obtaining permission to re-enter the United States from the Attorney General, or his successor, the Secretary of the Department of Homeland Security, in violation of Title 8, United States Code, Section 1326(b)(2).



Rebecca Mormel
Enforcement Officer
U.S. Customs and Border Protection

Sworn to and subscribed to before
me this 19th day of July 2019.



H. KENNETH SCHROEDER, JR.
UNITED STATES MAGISTRATE JUDGE